

**APPENDIX I**  
**OMWD Resolution No. 2011-10**  
**Regarding Lower Income Households**

RESOLUTION NO. 2011-10

RESOLUTION OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT  
BOARD OF DIRECTORS GOVERNING WATER AND SEWER SERVICE  
TO AFFORDABLE HOUSING UNITS FOR LOWER INCOME  
HOUSEHOLDS AND RESCINDING RESOLUTION NO. 2006-27

WHEREAS, the state legislature amended in 2005 Government Code §65589.7, requiring public agencies that provide water or sewer services to grant a priority for these services to proposed developments that include housing units affordable to lower income households; and

WHEREAS, Government Code §65589.7(b) requires public agencies providing water or sewer services to adopt written policies and procedures by not later than July 1, 2006 and at least once every five years thereafter containing standards for the provision of water and sewer services to proposed developments that include housing units affordable to lower income households; and

WHEREAS, Olivenhain Municipal Water District originally adopted policies and procedures via Resolution 2006-27 on June 21, 2006 addressing the requirements of Government Code §65589.7; and

WHEREAS, Olivenhain Municipal Water District now desires to adopt this resolution as its written policies and procedures for service to proposed developments that include housing units affordable to lower income households in compliance with Government Code §65587.7.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Olivenhain Municipal Water District as follows:

1. Water and Sewer Service to Affordable Housing Units. OMWD shall not deny or condition the approval of an application for water or sewer services to, or reduce the amount of services applied for by, a proposed development that includes housing units affordable to lower income households unless OMWD makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

(a) OMWD does not have a sufficient water supply as defined in paragraph (2) of subdivision (a) of Government Code §§66473.7 or is operating under a water shortage emergency as defined in Water Code §350, or does not have sufficient water treatment or distribution capacity to serve the needs of the proposed affordable housing development as demonstrated by a written engineering analysis and report; or

(b) OMWD is subject to a compliance order issued by the Department of Public Health that prohibits new water connections; or

(c) OMWD has declared a Level 2, Level 3, or Level 4 Water Supply Shortage as

defined by Ordinance 380 restricting the provision of new potable water service; or

(d) OMWD does not have sufficient sewer treatment or collection capacity to serve the needs of the proposed affordable housing development as demonstrated by a written engineering analysis and report; or

(e) OMWD is under an order issued by the Regional Water Quality Control Board that prohibits new sewer connections; or


(f) The applicant fails to agree to reasonable terms and conditions for water or sewer service from OMWD which is generally applicable to other development projects seeking water or sewer service from OMWD including, but not limited to, payment of any fee or charge authorized by Government Code §66013.

2. Effective Date. This resolution shall be effective as of April 20, 2011.

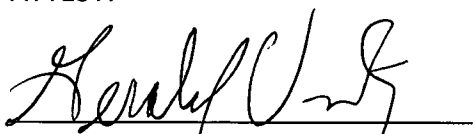
3. Review of Service Policies. At least once every five years after passage of this resolution, the policies contained in this resolution shall be presented to the Board of Directors for a review and evaluation of the written policies governing water and sewer services to proposed developments that include housing units affordable to lower-income households.

BE IT FURTHER RESOLVED that adoption of this resolution rescinds Resolution 2006-27 which is superseded by the provisions of this resolution.

PASSED, ADOPTED AND APPROVED at a regular meeting of the Board of Directors of Olivenhain Municipal Water District held on Wednesday, April 20, 2011.

  
Edmund K. Sprague, President  
Board of Directors  
Olivenhain Municipal Water District

ATTEST:

  
Gerald E. Varty, Secretary  
Board of Directors  
Olivenhain Municipal Water District